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**Burden of Proof – Development Review**O'Reilly Auto Parts  
Ivy and W 4<sup>th</sup> Avenue  
Junction City, OR**17.35.040 Restrictions on use.**

*B. Any outside storage shall be conducted entirely within a sight-obscuring fence a minimum of four feet in height when adjacent to a property used or zoned for residential use or when directly visible from a public street or sidewalk and must comply with the vision clearance standards in JCMC [17.95.090](#). [Ord. [1116](#) § 1, 2003; Ord. [1037](#) § 1, 1997; Ord. [986](#) § 1, 1994; Ord. [950](#) § 42, 1991.]*

**Applicant Analysis:** No outside storage is proposed.**17.35.050 Setback requirements.**

*Except as provided in JCMC [17.95.060](#), in a GC zone the yards are measured from the property line to the foundation of the building with a maximum projection of one foot into any setback area. Projections may include eaves, chimneys, bay windows, overhangs, and similar architectural features. Setbacks shall be as follows:*

<i>Frontage</i>	<i>Type of Setback</i>	<i>Minimum Setback</i>
<i>Highway 99</i>	<i>Front</i>	<i>None, except as needed to comply with the vision clearance standards in JCMC <a href="#">17.95.090</a></i>
<i>W 4<sup>th</sup> Avenue</i>	<i>Front</i>	<i>None, except as needed to comply with the vision clearance standards in JCMC <a href="#">17.95.090</a></i>
<i>W 5<sup>th</sup> Avenue</i>	<i>Front</i>	<i>None, except as needed to comply with the vision clearance standards in JCMC <a href="#">17.95.090</a></i>
<i>Alley</i>	<i>Rear</i>	<i>None</i>

*The west property line of Taxlot 01000 should have a 15 foot setback.*

**Applicant Analysis:** The building setback complies with the vision clearance standards as shown in the sight distance diagrams included in the development review submittal.

**17.35.060 Building orientation guideline.**

*In order to create streets which are attractive to pedestrians, create a sense of enclosure, and provide activity and interest along the street edge of a building, the siting of new commercial buildings shall be close to the street rather than set back from the street behind large parking lots. Front (street-facing) setbacks between zero and 25 feet from the front property line are required where site size and configuration permit (see Appendix A, Diagram 10). [Ord. [1178](#) § 2, 2007; Ord. [1116](#) § 1, 2003; Ord. [950](#) § 43A, 1991.]*

**Applicant Analysis:** The property is unique in that there are three street frontages and the lot is narrow. The proposed retail store faces West 4<sup>th</sup> Avenue which is the most conducive orientation for the proposed building use.

#### **17.35.070 Height of buildings.**

In a GC zone, no building shall exceed a height of 35 feet. [Ord. [1116](#) § 1, 2003; Ord. [1037](#) § 1, 1997; Ord. [950](#) § 44, 1991.]

**Applicant Analysis:** The proposed building height is 22'-0".

#### **17.35.080 Parking.**

*In a GC zone, parking lots shall comply with the following standards:*

*A. Off-street vehicle parking must comply with the landscaping, size, and pedestrian circulation standards specified in Chapter [17.90](#) JCMC.*

*B. Parking Lot Siting. To minimize the visual impact of parking areas, new commercial developments shall site off-street parking lots to the rear or side of the building where site size and configuration permit. [Ord. [1178](#) § 3, 2007; Ord. [1116](#) § 1, 2003; Ord. [950](#) § 44A, 1991.]*

**Applicant Analysis:** Parking is located on two sides and also on the alley side of the building to minimize the visual impact. Although, due to the nature of the site having three street frontages and being narrow, the proposed parking layout is the most feasible layout to the building orientation.

#### **17.35.090 Building entries.**

*In a GC zone, new commercial buildings shall comply with the following building entry standards:*

*A. All commercial buildings must provide at least one customer entrance within 50 feet of an adjacent public sidewalk. Direct pedestrian access from the public sidewalk to the building entrance shall be provided and must be separated, raised, or protected from vehicular traffic and provide access for disabled persons in a manner that complies with applicable state and federal law. This standard does not apply to mini-storage, automobile paint shop, or car wash uses (see Appendix A, Diagram 12). [Ord. [1116](#) § 1, 2003; Ord. [950](#) § 44B, 1991.]*

**Applicant Analysis:** The proposed retail store's entrance is less than 50' from the Ivy Street/Highway 99. A handicap accessible pedestrian access walkway crosses the front of the building and connects the sidewalk along Ivy Street/Highway 99 with the alley to the West. Bollards and wheel stops add to the walkway's protection from the vehicular use area.

#### **17.35.100 Building form.**

*In a GC zone, new commercial buildings shall comply with the following building form standards:*

*A. Building Articulation. Buildings with 10,000 square feet or greater of enclosed ground floor space shall have articulated facades on all street-facing elevations. This criterion is met when an elevation contains at least one of the following features for every 40 feet of horizontal building length: primary entrances; weather protection (awnings, canopies, arbors, trellises); building offsets or projections of a minimum of two feet in depth; changes in elevation or horizontal direction; sheltering roof terraces; a distinct pattern of division in surface materials; ornamentation; screening trees; small scale lighting (e.g., wall-mounted lighting or up-lighting); and similar features as generally shown in Appendix A, Diagram 11.*

*B. Windows. All street-facing building facades shall provide windows along a minimum of 50 percent of the length and 20 percent of the ground floor wall area (doorways may be used to help satisfy this standard). On corner lots, the general ground floor window standards must be met on one street frontage only. On the other street(s), the requirement is one-half of the general standard. This standard does not apply to mini-storage, automobile paint shop, or car wash uses (see Appendix A, Diagram 12). [Ord. [1178](#) § 4, 2007; Ord. [1116](#) § 1, 2003; Ord. [950](#) § 44C, 1991.]*

***Applicant Analysis:*** The proposed retail store meets the window standard on the entry façade and a variance is being requested to eliminate the window's East and North facades. The East and North facades have been enhanced to provide a pleasing elevation to pedestrians.

#### **17.35.110 Trash receptacles.**

Trash receptacles shall be screened on all sides with an evergreen hedge or solid fence or wall of not less than six feet in height. No trash receptacle shall be located within required setbacks or within 25 feet of property lines abutting residential zones. [Ord. [1116](#) § 1, 2003; Ord. [950](#) § 44D, 1991.]

***Applicant Analysis:*** The proposed trash receptacle is screened by a wooden fence and gate near the Northwest of the building and is over 25'-0" from the commercial/residential zone to the West.

#### **17.35.120 Utilities.**

All utilities on the development site shall be placed underground. Ground-mounted equipment such as transformers, utility pads, cable television and telephone boxes, cell tower equipment boxes, and similar utility services shall be placed underground wherever practicable. Where undergrounding is not practicable, equipment shall be screened from view from adjacent streets, sidewalks, and abutting residentially zoned properties with an evergreen hedge or solid fence or wall at least four feet in height and must be sited to comply with the vision clearance standards in JCMC [17.95.090](#). [Ord. [1116](#) § 1, 2003; Ord. [950](#) § 44E, 1991.]

***Applicant Analysis:*** Due to the site configuration, some of the overhead electrical poles along the alley have been relocated. A variance to allow the use of overhead electrical is being applied for. Underground service to the proposed O'Reilly building is planned.

#### **17.35.130 Delivery and loading facilities.**

In a GC zone, new commercial buildings shall comply with the following delivery and loading facility standards:

- A. Delivery and loading facilities are not permitted in required setback areas.
- B. All loading spaces for commercial buildings and uses shall be off the street, shall be in addition to required off-street parking spaces, and shall be served by service drives and maneuvering areas so that no backward movement or other vehicle maneuvering within a street, other than an alley, will be required. [Ord. [1116](#) § 1, 2003; Ord. [950](#) § 44F, 1991.]

***Applicant Analysis:*** A loading zone has been allowed for along the alley.

#### ***17.35.140 Drive-through facilities.***

*Drive-up and drive-through facilities (e.g., associated with restaurants, banks, car washes, and similar uses) shall conform to all of the following standards:*

- A. *A stacking lane a minimum of 80 feet in length shall be provided for cars waiting to access a drive-through window. The stacking lane must be contained entirely on private property between the public right-of-way and the drive-through window and shall not interfere with vehicle parking or circulation. [Ord. [1116](#) § 1, 2003; Ord. [950](#) § 44G, 1991.]*

***Applicant Analysis:*** The proposed O'Reilly Auto Parts store does not have a drive-through.

#### **17.85 – Access Management**

*Please note that the City has adopted an Access Management Plan is located in our 2008 Transportation System Plan, OR 99 Refinement Plan that supersedes the provisions in this Section (with respect to access via OR 99). There are several provisions under this Plan that would need to be addressed:*

- 1. Access spacing. Under this plan, the subject property is located in Zone 3, wherein a 425 foot access standard was put into place (see Table 3-1). The proposal shows midblock access on Hwy 99, which would not comply with the 425 foot separation standard. The Access Management Plan does contain a modification section on Page 61. This section allows you to propose modifications to the access separation standards in the plan by ODOT. In order to support your request, you would need to submit a Traffic Impact Analysis to ODOT that would evaluate project access without the proposed Hwy 99 access and determine whether this alternative access created any operational issues. ODOT would want to meet with the traffic engineer to collectively develop the TIA scope of work. This can be done via conference call or a face to face meeting.*
- 2. Alley design. Under the plan, along OR 99 from 17<sup>th</sup> Avenue to 1<sup>st</sup> Avenue, property access is recommended to be located on side streets, rather than taken directly from the highway. The narrow width of the existing alleys poses an issue for this. Therefore, the access management plan recommends that alleys are improve by widening the alley a minimum of 4 feet on each side of the existing alley and establishing a minimum unobstructed approach throat distance of 30 feet from the back of the sidewalk. If improvements are not possible (which may be the case here, given the location of existing power poles) then one-travel way should be considered.*

*In addition, there are other provisions in JCMC 17.85 that need to be addressed:*

JCMC 17.85.060 Corner clearance.

A. New accesses shall meet or exceed the minimum spacing requirements as set forth in Table 17.85.060 for that roadway's classification, as set out in the city's transportation system plan. The measurement shall be from centerline to centerline of the intersection.

Table 17.85.060: Access Spacing

Roadway Type	Access Spacing
Arterial	150 feet
Major Collector	75 feet
Minor Collector	50 feet
Local Street	25 feet

***Applicant Analysis:*** The alley that spans the site is being used for access to the site from West 4<sup>th</sup> Avenue and West 5<sup>th</sup> Avenue. Both avenues are classified as minor collectors and require a minimum 50' access spacing to which the proposed alley access abides. The alley approach throats will be widened to 30'-0" to accommodate the traffic projected for the site.

JCMC 17.85.070 Joint and cross access.

A. *Adjacent commercial or office properties classified as major traffic generators (i.e., uses that generate more than 30 peak hour trips, as cited in the Institution of Transportation Engineers' (ITE) trip generation tables) shall provide a cross-access drive and pedestrian access to allow circulation between sites.*

B. *For new commercial retail and service uses, a system of joint use driveways and cross-access easements shall be established wherever feasible and shall incorporate the following:*

- 1. A continuous service drive or cross-access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards;*
- 2. A design speed of 10 m.p.h. and a maximum width of 20 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;*
- 3. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross access via a service drive;*
- 4. A unified access and circulation system plan for coordinated or shared parking areas is encouraged.*

C. *Shared parking areas shall be permitted a reduction in required parking spaces if peak demands do not occur at the same time periods.*

D. *Pursuant to this section, property owners shall:*

- 1. Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross-access or service drive;*
- 2. Record an agreement with the deed that remaining access rights along the roadway will be dedicated to Junction City and pre-existing driveways will be closed and eliminated after construction of the joint use driveway;*



3. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

E. The city may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical. [Ord. [1103](#) § 1, 2002; Ord. [950](#) Appx. H, 1991.]

**Applicant Analysis:** The proposed retail store stands alone on the site, which spans from West 4<sup>th</sup> Avenue to West 5<sup>th</sup> Avenue, thus, a cross access drive between properties is not necessary.

### **17.90 – Off-Street Parking and Loading**

#### 17.90.010

A. Off Street Parking Spaces Required. At the time of erection of a new structure, or at the time of enlargement of an existing structure's floor area by more than 20 percent or at the time of change in use of an existing structure within any zone in the City, off-street parking spaces shall be provided in accordance with the requirements of this section.

**Applicant Analysis:** 34 parking spaces are being provided on this development.

B. Exceptions to Off-Street Parking Requirements. Properties are exempt from the requirement for off-street parking if such properties:

1. Are or have been assessed for public off-street parking facilities;
2. Have a commercial use and are bounded by 3rd Avenue to the south, 10th Avenue to the north, West Front Street to the east, and the alley between Juniper Street and Kalmia Street to the west. Properties within this area are exempted from off-street parking requirements, except at the time of erection of a new structure, at the time an existing structure's floor area is enlarged by more than 20 percent, or when the property changes from a commercial use;
3. Have a commercial use, are located within 900 feet of a city of Junction City parking lot, and are located in an existing residential structure located in the area bounded by W 4th Avenue to the north, W 2nd Avenue to the south, Holly Street to the west, and Front Street to the east, including abutting properties to the alleys.

**Applicant Analysis:** Off-street parking is being provided.

E. Off-Street Parking Spaces. The minimum number of off-street parking spaces shall be provided as follows: One space per 350 square feet of floor area.

**Applicant Analysis:** The proposed retail store is 6,871 square feet. This requires twenty parking spaces per the code. Thirty-four parking spaces are proposed for the site.

F. Bicycle parking facilities shall be provided as part of new multifamily developments of three units or more, new retail, office and institutional developments, and all transit transfer stations and park and ride lots. Bicycle parking requirements shall apply to new development, changes of use, and building expansions and remodels where the floor area of the building is being increased by 50 percent or more. Bicycle parking spaces shall provide a convenient place to lock a bicycle and shall be at least six feet long, two feet wide, and shall provide at least seven feet of vertical clearance. Bicycle parking shall not interfere with pedestrian circulation. For any use where bicycle parking is required, if the vehicular parking is covered or partly covered the bicycle parking will be covered at the same ratio. Bicycle parking spaces shall be provided as indicated below:

- |   |  |
|---|--|
| 1. Multifamily dwellings of 3 or more dwelling units                    | At least 1 covered bicycle space for each dwelling unit.   |
| 2. Parking lots: All public, commercial, and institutional parking lots | 1 bicycle space for every 10 motor vehicle parking spaces. |

**G. In calculating the number of required spaces, fractions shall be rounded up to the nearest whole number.**

**Applicant Analysis:** With the proposed thirty-four parking spaces, four bicycle spaces are required. The bicycle parking area is proposed near the Southeast corner of the building, and provides ample space for the required amount of bicycle parking.

**17.90.020 Off-street loading.**

*B. Merchandise, Materials or Supplies. Buildings or structures to be built or substantially altered which receive and distribute material or merchandise shall provide and maintain off-street loading berths in sufficient numbers and size to adequately handle the needs of the particular use. If loading space has been provided in connection with an existing use or is added to an existing use, the loading space shall not be eliminated if elimination would result in less space than is required to adequately handle the needs of the particular use. Off-street parking areas used to fulfill the requirements of this chapter shall not be used for loading and unloading operations except during periods of the day when not required to take care of parking needs.*

**Applicant Analysis:** The proposed loading zone is on the West side of the building and is accessed via the alley that runs the length of the site.

**17.90.030 General provisions – Off-street parking and loading.**

*E. Distance of Parking from Use. Off-street parking spaces shall be located on the same lot with the building. However, nonresidential required parking spaces may be located not farther than 400 feet from the building or use they are required to serve, measured in a straight line from the building, and shall be used by the business's employees. Exceptions to this requirement are listed in JCMC [17.90.010](#)(B).*

**Applicant Analysis:** All parking for the proposed site is less than 400' from the building.

*F. Parking Space Usage. Required parking spaces shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business or use.*

**Applicant Analysis:** All parking for the site is proposed as available parking for customers and employees.

*H. Design Requirements. Design requirements for parking lots and spaces, with the exception of single-family and duplex dwelling units:*

1. Areas used for parking, standing, and maneuvering of vehicles shall have a hard surface of asphalt or concrete and be maintained adequately for all-weather use and so drained as to

*avoid flow of water onto adjacent property. Lots may be paved with a permeable surface, subject to approval by the city administrator or designee. Permeable pavement parking lots may be sited anywhere, but are subject to the requirements listed in subsections (1)(1) and (3) through (6) of this section. Gravel lots may be approved as a conditional use as outlined in subsection (1) of this section. Size of standing and maneuvering areas, in addition to the required number of parking spaces, shall comply with the areas illustrated in Appendix A, Diagram 14.*

*2. Except for parking to serve single-family detached, townhome, or duplex residential uses, parking and loading areas adjacent to or within residential zones or adjacent to residential uses shall be designed to minimize disturbance of residents by the erection between the uses of a sight-obscuring fence of not less than four feet in height except where vision clearance is required by this code.*

*3. Parking spaces within a parking lot shall be designed and constructed so that no portion of a parked vehicle, including an opened door, will extend beyond the property line.*

*4. Artificial lighting which may be provided shall be so arranged as to not produce direct glare on any abutting or adjacent residential zone or on any adjacent dwelling.*

*5. Access aisles shall comply with the aisle widths illustrated in Appendix A, Diagram 14.*

*6. All parking spaces, except single-family detached, townhomes, and duplex residential, shall be served by a driveway designed so that no backing movements or other maneuvering within a street, other than an alley, will be required.*

*7. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site. In no case shall two-way and one-way driveways be less than 20 feet wide and 12 feet wide respectively. The number of service drives shall be limited to the minimum that will allow the property to accommodate and service the traffic to be anticipated. Service drives shall be clearly and permanently marked and defined through use of rails, fences, walls or other barriers or markers on frontage not occupied by service drives. Service drives are also subject to the requirements of Chapter [17.85](#) JCMC.*

*8. Lots containing more than three parking spaces shall have all spaces permanently and clearly marked.*

*9. If four or more off-street parking spaces are required under this code, then off-street parking and maneuvering areas adjacent to public streets and drives shall provide a minimum of two square feet of landscaping for each lineal foot of street and/or drive frontage. Such landscaping shall consist of landscaped berms or evergreen shrubbery at least two feet in height upon maturity, which shall be parallel to and adjacent to the street frontage and drive as much as practical. Additionally, one tree, which will provide a canopy of at least 300 square feet upon maturity, shall be provided for each 30 lineal feet of street frontage or fraction thereof. For a list of allowed trees, see JCMC [12.35.110](#). Said landscaping shall be provided with irrigation facilities and protective curbs or raised wood headers.*

**Applicant Analysis:** All requirements under Section 17.90.030 H. (1)-(9) are being met on the proposed site in regards to screening, aisle spacing, drainage, lighting, maneuvering, and landscaping.

*13. New off-street parking lots located in R3, R4, CR, C2, and GC zones shall be placed to the rear or side of the building in accordance with JCMC [17.20.100](#) (R3 zone), [17.30.080](#) (C2 zone), and [17.35.080](#) (GC zone).*

**Applicant Analysis:** Due to the orientation of the site, the off-street parking is positioned on the front and rear of the building and the side. No parking is proposed along Ivy Street.



#### **17.95.090 Vision clearance.**

*The vision clearance area contains no plantings, walls, structures, or temporary or permanent obstructions exceeding three and one-half feet or lower than eight feet in height measured from the grade of the street centerline. Vision clearance shall be provided from the outside edge of the curb as shown in Appendix A, Diagram 1, or from the edge of the paved road where no curbs exist with the following distances establishing the size of the vision clearance area:*

*A. In a residential zone the minimum distance shall be 30 feet at street intersections and 10 feet for an alley or driveway.*

*B. In all other zones, except the C2, the minimum distance shall be 15 feet at street intersections including an alley or service drive; except that when the angle of intersection between streets is less than 30 degrees, the distance shall be 25 feet. [Ord. 1037 § 1, 1997; Ord. 950 § 89, 1991.]*

**Applicant Analysis:** The proposed site meets the requirements for vision clearance with a 15' sight triangle at all intersections. The site triangles for the site have been provided to the City.

#### **17.160.020 Definitions.**

*For purposes of this chapter, the following words and phrases shall have the meaning ascribed to them herein:*

*"Development" means the conversion or change in character of occupancy or use of a building which would place the structure in a different building group as defined in the Uniform Building Code; the erection of a new structure; the demolishing of existing buildings for the conversion of such property to a differing use; the creation of gasoline pumps, drive-up windows, traffic islands or similar alterations which channelize, alter or increase the traffic volume or pattern on adjacent roadways. The term "development" for purposes of this chapter shall not mean interior remodeling, repairs, maintenance or improvements to any existing structure which does not increase the volume of the structure. Specifically exempted under this chapter are building facades, roof or exterior wall repair or replacement, heating, ventilating or electrical alterations, or activities similar in character.*

**Applicant Analysis:** The proposed O'Reilly Auto Parts meets the definition of "Development".

#### **17.160.050 Development requirements.**

*The following requirements shall pertain to all development falling under the categories identified in JCMC [17.160.020](#):*

*A. The applicant shall complete a building permit application as provided by the city and a site plan. The site plan shall be drawn to scale and show all existing and proposed structures and their exterior dimensions; all streets, alleys and other public right-of-way; existing and proposed utility lines and/or easements; building setbacks; location of utilities and proposed connection routes; off-street parking; curb cut and sidewalk locations and dimensions and a drainage plan. When required in a conditional use permit or in a major development, the city may require the applicant to supply landscape plans, screening, lighting, fire flow and similar requirements.*

*B. Where the applicant's development site abuts existing curb and gutter, sidewalks in conformance with city standards are required to be constructed to the extent curb and gutter exist at the time of application.*

**Applicant Analysis:** For the proposed project, a site plan, drainage plan, site utilities plan, and a landscape plan, meeting the above mentioned requirements, have been submitted for review.

**C. Pedestrian Access and Circulation.**

*1. Internal pedestrian circulation shall be provided in new and expansions of commercial, office, and multifamily residential developments through the clustering of buildings, construction of hard surface walkways, landscaping, accessways, or similar techniques.*

*2. Commercial Development Standards.*

*a. New commercial buildings, particularly retail shopping and offices, shall be encouraged to orient to the street, near or at the setback line. A main entrance shall be oriented to the street. For lots with more than two front yards, the building(s) shall be oriented to the two busiest streets.*

*b. Off-street motor vehicle parking for new commercial developments shall be encouraged to locate at the side or behind the building(s).*

*3. All site plans (industrial and commercial) shall clearly show how the site's internal pedestrian and bicycle facilities connect with external existing or planned facilities or systems.*

*4. Development covered under this chapter shall ensure all pedestrian facilities on site and adjacent to the site are handicapped accessible, as required by state and federal laws.*

**Applicant Analysis:** A sidewalk provides access from the East to West sides of the property. Landscaping surrounds the building to the East and North. The site is bordered by three streets and the proposed building faces West 4<sup>th</sup> Avenue. A sidewalk connects the right of way along Ivy Street/Highway 99 with the entry to the retail store and a transportation drive to the West of the main site, allowing for complete cross-access pedestrian movement. Handicap ramps and sloped paving at the handicap access aisle are compliant with current State accessibility standards.

*D. The applicant shall be required to participate in public facilities, such as water, wastewater, drainage, curb, gutter, sidewalk and street right-of-way adjacent to the development in conformance with city standards and provide easements or deeds to the city for all such public facilities. However, where it is determined that delaying the design and construction of any or all such facilities is not appropriate and logical, or causes an adverse impact on surrounding properties, the city may require the developer to construct and dedicate all such improvements as a condition to development.*

**Applicant Analysis:** The proposed development would participate in public utilities and development as described.

*E. Where it has been determined that the extension of public facilities is required, all costs related to such extension shall be borne by the developer. In addition, any extension of such facilities shall be continued and extended in a logical fashion to the extent of the development site so as to be readily available for adjacent development.*

**Applicant Analysis:** The proposed development will require the utilities along the alley to be modified.

*F. Where such improvement installed by a developer shall benefit other properties, a mutually agreeable settlement shall be arrived at between the city and the developer prior to installing the improvements. This agreement shall identify the benefiting properties, actual costs to be charged and method of repayment to the developer. Where prior agreement exists for improvements benefiting the subject property, the applicant shall make arrangements with the city for the payment of such improvements prior to issuance of any city permit.*

**Applicant Analysis:** The required utility modifications have been worked out with the utility company.

*G. The developer shall provide proof of review and approval by all affected state and/or county agencies, such as the State Department of Transportation or county planning department.*

**Applicant Analysis:** Proof of review will be provided.

*H. The proposed use shall not impose an undue burden on the public transportation system. For developments that are likely to generate more than 400 average daily motor vehicle trips (ADTs), the applicant shall provide adequate information, such as a traffic impact study or traffic counts, to demonstrate the level of impact to the surrounding street system. The developer shall be required to mitigate impacts attributable to the project. The determination of impact or effect and the scope of the impact study shall be coordinated with the provider of the affected transportation facility.*

**Applicant Analysis:** A traffic generation summary was provided for this site by the Engineer and it has been determined that the proposed site development will generate less than four hundred trips a day.

*I. Dedication of land for streets, transit facilities, sidewalks, bikeways, paths, or accessways shall be required where the existing transportation system will be impacted by or is inadequate to handle the additional burden caused by the proposed use.*

**Applicant Analysis:** There will not be an impact to the above transportation systems.

*J. Improvements such as paving, curbing, installation or contribution to traffic signals, construction of sidewalks, bikeways, accessways, paths, or streets that serve the proposed use where the existing transportation system may be burdened by the proposed use. [Ord. [1103](#) § 1, 2002; Ord. [944](#) § 5, 1990.]*

**Applicant Analysis:** The alley entrances have been widened to allow for the ease of flow of vehicular traffic through the site. This improvement is a benefit also to the adjacent property owners.

#### **17.115.080 Commercial – Industrial – Technological.**

A. General. This section of the sign ordinance shall apply to all commercial, industrial, and technological districts.

B. Size. The size of allowable area of signs shall be as follows:

1. A total sign area of one and one-half square feet for each lineal foot of building frontage or one square foot for each lineal foot of lot frontage, whichever results in the larger sign area.

2. Free-standing or projecting signs shall be limited to 150 square feet per face. Such signs shall not exceed 30 feet in height from grade to the highest element of such signs unless otherwise restricted.

3. One daily display sign per business, for which the maximum permitted area shall be eight square feet per display surface and 16 square feet overall, with a maximum height limit of six feet above ground level.

C. Location. Except as otherwise provided, permitted signs may be located anywhere on the premises.

1. Where frontage is on more than one street, only the signs computed with the frontage of that street shall be located on that street.

D. Free-Standing Signs. All free-standing signs shall comply with the following provisions:

1. One free-standing sign shall be permitted along each street frontage, or each 300 feet of street frontage, with one additional free-standing sign allowed on the property.

2. A free-standing sign shall be placed behind the property line and no closer than 10 feet to any adjacent private property line.

3. Free-standing signs may project over the public property line provided they conform to the standards established for projecting signs.

***Applicant Analysis:* All proposed signage on the building, and free standing signs meet the requirements of Section 17.115.080.**